# *APPENDIX*

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## Report on the 67th ANNUAL MEETING OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES St. Paul, Minnesota, June 22-26, 1974

The Conference of Newer Law Librarians (CONELL) held its fifth annual meeting on Saturday, June 22, in St. Paul, Minn. Conference chairman was Signe Larson, U.S. Department of the Interior Law Library, Washington, D.C., and vice-chairman Sarah Wiant, Washington & Lee University Law School Library, Lexington, Va. Following the welcoming remarks by Mrs. Larson, the morning session consisted of small, informal discussion groups arranged by type of library: county and bar association libraries, state and federal law libraries, law school libraries, and, private law libraries.

At the CONELL luncheon, Signe Larson introduced members of the AALL Executive Board, President Erwin Surrency made welcoming remarks, and Sarah Wiant introduced President-elect Marian Boner. Guest speaker Jack Ellenberger of Covington & Burling, Washington, D.C., gave an enthusiastic talk on "Growth and Our Future."

The afternoon session began with an open forum in which previously submitted questions and questions from the floor were directed to panelists Mario Goderich, University of Miami Law School Library, Jane Hammond, Villanova University Law Library, and Anita K. Head, Bancroft, Avery & McAlister, San Francisco, Calif. The second part of the afternoon session was an AALL Open House at which those attending CONELL were given an opportunity to learn something of the activities of the various committees and how they might become involved. The day's activities ended with a Mississippi River boat ride and a barbecue. [*Michael C. McGoings*]

At the first AALL business session President Erwin Surrency, Temple University Law Library, reported on the President's activities for the past year. Eugene Wypyski, Treasurer, reported a balanced budget for fiscal year 1974; he did not recommend a dues increase for fiscal year 1975. A transfer of $10,000 was made to the AALL Scholarship Memorial Fund.

Chairman Frank DiCanio reported for the Committee on Elections that new officers of the Association are Marian Boner, Supreme Court Library, Austin, Tex., President; Jane Hammond, Villanova University, Vice President, President-elect; Eugene Wypyski, Hofstra University, Treasurer; and Pat Piper, University of California at Davis, Secretary. Francis Gates, University of Southern California, and Marlene C. McGuirl, Chief, American-British Law Division, Library of Congress, were elected to three-year terms on the Executive Board. The chairman also reported that the proposed amendment to Article V of the Constitution had passed and will now read: "The secretary and treasurer shall be elected *biennially* by the Association."

The following members were nominated and elected to Life Membership: Dorothy Allport, Jean Ashman, Viola Bird, Fern Day, Virginia Engle, Rebecca Fowler, Beatrice Hume, Marie Lawrence, Tobert Lynch, and Elizabeth Van Horn.

Following an amended report of the Committee on Law Library Service to Prisoners by Judy Foust, who reported that the Committee has now completed the revision of the "Recommended Collections for Prison Law Libraries," the meeting ended.

[*Marlene C. McGuirl*]

The panel on Federal Administrative Agencies, with Mrs. Boner as moderator, was held on Monday morning, June 24. In her introductory remarks, Mrs. Boner revealed the more specific topic of the panel: the system of discretion used by administrative agencies in the exercise of their functions.

The first panelist, Al Golato, Assistant Director of Tax Forms and Procedures, Internal Revenue Service, described the discretionary process within his agency by covering the various kinds of IRS documents containing legal and administrative interpretations of the tax laws and their relative authority. Mr. Golato emphasized that tax advisers and law librarians consult the Internal Revenue Code, the source of many Federal tax laws. For general guides to interpretation of the Code, they may refer to Congressional committee reports for indications of the intent of the laws at the time they were enacted, to court decisions establishing authoritative precedents, and to regulations issued by the Commissioner of Internal Revenue. The latter are being published in a *Looseleaf Regulations System* as the only official source providing currently applicable regulations in consecutive numerical sequence. However, in order to obtain necessary advance knowledge of the IRS position, Mr. Golato

stated, a number of other documents and publications must be consulted, such as "revenue" rulings and "letter" rulings. A revenue ruling represents the conclusions of the IRS on the application of a law to a given set of facts and is published in the *Internal Revenue Bulletin;* a letter ruling interprets and applies the tax laws to a specific set of facts submitted by a taxpayer in his written request and remains confidential under statutory requirements. In fiscal year 1973, the IRS issued 13,907 letter rulings and a total of 716 revenue rulings and revenue procedures. Mr. Golato enumerated a number of titles in which these are being published, such as *Internal Revenue Bulletin*, the *Internal Revenue Cumulative Bulletin, Internal Revenue Bulletin Index-Digest* (covering the period, 1953-1970), *Technical Information Releases,* and various commercial tax services and professional journals.

As other vehicles for providing taxpayers and law librarians with technical guidance for use of the Internal Revenue Code, Mr. Golato mentioned Determination of Letters, Technical Advice and Information Letters. Other publications originally designated for "official use only" and now available to the public are the following: *Revenue of Technical Developments, Tax Briefs, IRS Policy Handbook,* and *Internal Revenue Manual.*

On the question of whether IRS posesses a body of "secret laws" unavailable to the public, including unpublished rulings, secret policy memoranda, internal guidance letters, and so forth, Mr. Golato claimed that most of these items either are exempt from disclosure by statutes because they are part of a tax return or represent privileged communications between the "client," IRS, and its "attorney," the general counsel.

The second panelist, Peter C. Ward, Assistant Director, Bureau of Competition, Federal Trade Commission, considered the problem of discretion in the administrative process. After a brief description of the organization of the Federal Trade Commission (consisting of five commissioners and of three bureaus–Consumer Protection, Competition, and Economics), Mr. Ward analyzed the three different functions of the Commission: prosecutory (enforcement actions against institutions), adjudicative (acting as a judge), and administrative (promulgating rules and guides). He further described the Commission from the point of view of investigations, complaints, advisory opinions, formal adjudicative opinions, and rule-making. In addition, he described the areas where discretionary powers are used by the Commission and the manner and form of publication of the Commission's activities.

Professor Jerre Williams, University of Texas, the third panelist, commented on discretion practiced in administrative law with reference to the two specific instances presented by the previous speakers. After presenting several cases in various areas where discretionary authority is used (the United States Postal Service in rejecting packages because of their size, government grants, discipline in the army, schools, the "no action letter" of the IRS, speed limits, etc.), Mr. Williams argued that full disclosure of all aspects of the use of discretionary powers must be achieved by complying with the rules, structuring specific practices, and verifying the authority of the agency. A basic point, he emphasized, is that discretionary actions must be made public. That is, an agency must publish as many of these actions as it can in order to show what it is doing. Finally, Mr. Williams made several specific suggestions for achieving this goal.

Following the panelists' presentations, there was a lively question and answer period. [*Ivan Sipkov*]

The opening luncheon for approximately 700 law librarians attending the Annual Meeting was presided over by Erwin C. Surrency, who introduced those seated at the head table and the guest speaker, the Honorable Robert J. Sheran, Chief Justice of the Supreme Court of Minnesota. Mr. Sheran spoke briefly of the small number of criminals compared to the total population of the United States, stressing the fact that we are a nation of law and order. As a civilized country, we have a legal tradition and precedents to which we resort in solving national and international disputes.

The luncheon concluded with the announcement and introduction of grant and scholarship winners and their sponsors from among the law publishers and book dealers. [*Zuhair E. Jwaideh*]

The U.S. Government Documents Workship held on Monday afternoon, June 22, heard the Coordinator, Catherine A. Porter of Vinson, Elkins, Searls, Connally & Smith, Houston, Tex., speak on the "Federal Documents Reference Collection," in which she named several new publications in the area of government documents which documents librarians may find useful. These included: *Government Publications Review, Documents to the People, Index to U.S. Government Periodicals,* and *American Statistical Index.*

The Coordinator then gave a progress report on the proposed AALL Government Documents Committee and suggested that it might be patterned after the

ALA Documents Roundtable. Comments from the floor on the proposed committee were favorable and included a suggestion that there be a government documents institute patterned after the AALL Rotating Institute.

A panel on "Organization of a Large Documents Collection" described the U.S. Government documents collection in five large libraries in terms of size, organization, acquisitions, policy, and staff. Sandra M. Traicoff, DePaul University Law Library, spoke on the documents collection at the University of Illinois Law Library where she was formerly employed. Approximately 35,000 pieces of federal documents in the law library are arranged by Superintendent of Documents classification and shelved separately. Documents in the card catalog are by main entry only and each item is checked off in the *Monthly Catalog of U.S. Government Publications* as received. The documents staff consists of one professional librarian, one clerk, and three student assistants.

Richard G. Hutchins, University of Iowa Law Library, described the document collection at that library. With a broad acquisition policy of seeking to acquire all documents related to law, the library has, since 1969, built a collection of some 90,000 items. The collection is increasing at a rate of 700 to 750 documents per month which are shelved by Superintendent of Documents classification system. Catalog cards are prepared by a method called "short cataloging" whereby all information appearing on the card is taken from the document itself. Original cataloging is avoided where possible. The documents collection, available to anyone, is used primarily by law students.

The University of California School of Law Library at Berkeley was described by Gregg Atkins. The library has about 10,000 document titles and receives approximately 2,400 pieces per month. It collects all Library of Congress publications, all congressional publications, and all Census of Housing and Population publications. The staff consists of one full time clerk and two reference librarians, one of whom is responsible for the documents collection.

Mary Fisher described the documents collection at the Harvard University Law School Library which consists of some 54,000 items. While all legislative and administrative materials are classified, bills and resolutions are not recorded or classified and the subject headings and classification system used are unique to Harvard. Committee hearings are bound chronologically by date of the hearings. Hearings and reports are fully cataloged at the end of the legislative session. Because there is no documents librarian, servicing of the documents collection is provided by the entire reference staff.

Catherine A. Porter described the University of Texas Law Library where she was formerly employed. The collection has over 70,000 documents classified by the Superintendent of Documents classification system. None of these items appear in the card catalog. The staff consists of one professional librarian, one library assistant, one clerk, and three student assistants.

Questions from the floor focused on the use of the Superintendent of Documents classification system by three of the five libraries. The panelists from the three libraries agreed that the use of this system was primarily due to its availability at the time of receipt of the documents, thus preventing a backlog in processing. [*Michael C. McGoings*]

A workshop of State, Court, and County Law Libraries held on Monday afternoon, June 24, began with a presentation on para-legal developments and included some remarks on the formalized training of para-legals by Stephen G. Margeton, Washington, D.C. After this brief introduction, group sessions were conducted for more in-depth discussions of the problems confronting these types of libraries. [*Marlene C. McGuirl*]

The Annual Meeting of the Foreign and International Law Committee was held on Sunday, June 23, with Ivan Sipkov, Assistant Chief of the LC Law Library's European Law Division, presiding. Mr. Sipkov presented a short account of the Committee's major project, the compilation of the "Laws and Treaties of the World Concerning Diplomatic and Consular Services," and its second assignment, the updating of the "Union List of Basic Latin American Legal Materials." Then Mario P. Goderich, University of Miami Law School, Coral Gables, Fla., the new Chairman, assisted by Juan F. Aguilar, Drake Law School, Des Moines, Iowa, Vice-Chairman, took charge of the meeting, at which the following decisions were made:

The Committee will make an effort to publish the "Union List," for which the manuscript is ready, and continue work on the compilation of laws and treaties related to diplomatic and consular services. Furthermore, upon the suggestion of Kate Wallach, Louisiana State University, Baton Rouge, the Committee plans to translate various foreign laws into English, especially the ones on family, commerce, and the like. The membership of the new Committee was reduced considerably in order to make it more effective. [*Ivan Sipkov*]

A workshop on continuing education for the experienced law librarian was held Monday evening, June 24. The Chairman of the Education Committee, Betty LeBus of Indiana University, opened the session with a review of the philosophy and contents of the rotating Institutes held by the Association. The question arose as to whether the local chapters should take over the burden of training and if they did, would there be the expertise and time necessary for planning elaborate programs at the local chapter level. The consensus view held that basic continuing education in the library field is the responsibility of library schools and AALL has only a responsibility for education in the field of law librarianship. The workshop suggested that a re-evaluation of the educational needs of the AALL membership is in order.

Future education or Institute topics suggested at the workshop included a "think tank" for law librarians in libraries containing over 150,000 volumes, for the purpose of discussing mutual administrative problems; visitations to law libraries to include work or observation for a two week period; court administration courses; substantive law institutes similar to those sponsored by the California chapter; physical planning problems; and mechanization and the law library.

The Chairman reported that the Education Committee would carefully consider these ideas.

[*Marlene C. McGuirl*]

Also on Monday evening, the Foreign Law Indexing Committee met for dinner and discussion; the discussion was led by Committee Chairman, Frank Lukes, Chicago.

Proposals were made for (1) expanding the number of titles indexed and broadening the coverage of the *Index to Foreign Legal Periodicals* and (2) concentrating on improving the standards of the present indexing.

The Committee accepted a set of instructions to be prepared and mailed by the Chairman to the members in an attempt to gather their recommendations on revision of current subject headings. The recommendations will be made in two stages before the final list of revised subject headings is adopted; reports concerning the first stage should reach the Chairman by December 1. [*Zuhair E. Jwaideh*]

The second business meeting was held on Tuesday, June 25 and involved consideration of the draft code on job security, remuneration, and employment practices mailed to AALL members in February by Stanley E. Horst, Chairman of the Committee on Job Security, Remuneration, and Employment Practices.

Mr. Horst reported on the history of the drafting of the code, which was produced by the Committee over a period of years before July, 1973, under the direction of George Grossman, Committee Chairman at the time.

Actual adoption or rejection of the draft code in its present form was not at issue at this meeting; instead, Chairman Horst solicited comments and suggestions about the draft from the audience. Various questions were raised about the definition of law librarian in the code, the means of enforcing its provisions, its general philosophy, and its possible conflict with existing employment policies and practices of institutions employing law librarians. Those commenting felt the code should be more of a general statement rather than a set of specific rules. Some emphasized that the code should take the interests of both the employer and the employee into consideration, for a code weighted too heavily in favor of the interests of the employee could actually be harmful to the employee.

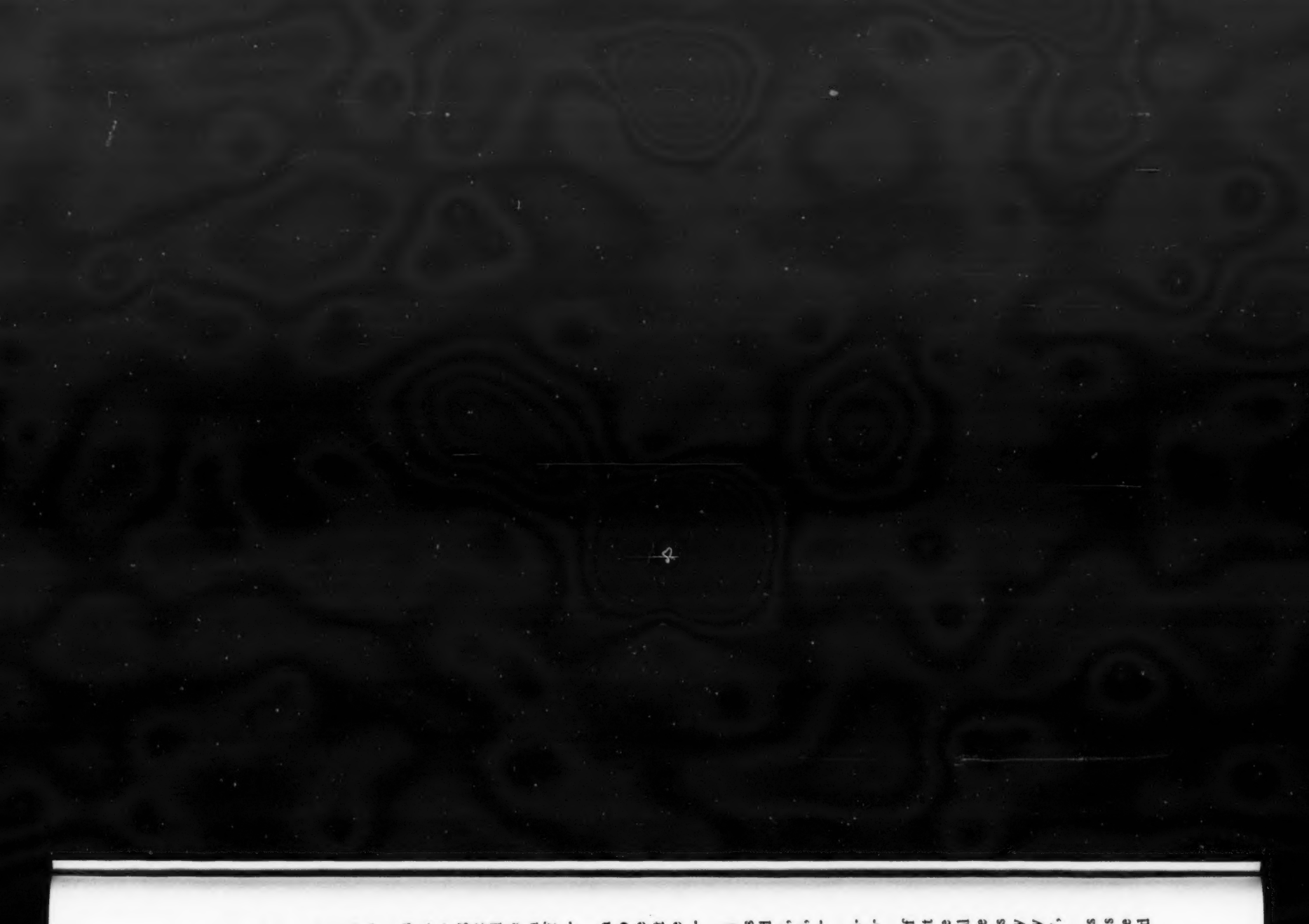
Following this discussion, Mr. Horst called for a vote to determine whether the Committee on Job Security should abandon the idea of having a code and, if not, whether it should revise the present draft or discard it in favor of an entirely new one. Those attending voted to have a code and to have the Committee proceed with revision of the existing draft.

[*Tao-tai Hsia*]

The Impact of Law Officers on American Law was the topic of a well-attended panel discussion held Tuesday morning, June 25. The theme of the talk, although not directly related to legal librarianship, appealed to the delegates, many of whom are attorneys as well as librarians.

Marvin P. Hogan, Library Director of the Department of Justice, Washington, D.C., served as moderator.

Peter S. Brown, First Deputy Attorney General of the Commonwealth of Pennsylvania, gave the first presentation, concerning the experiences of his office as they relate to the development of American legal institutions at both the Federal and State levels. He characterized the Pennsylvania attorney general's office as a public interest law firm whose primary objective is to see that the law is upheld, not only by citizens in general, but also, and more importantly, by all officers of government.

Mr. Brown stated that the public awareness of his office is evidenced by a larger proportion of cases handled successfully and by the time devoted to the areas of environment, civil rights, minority rights, and

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